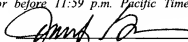


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office on June 4, 2009 at or before 11:59 p.m. Pacific Time under the Rules of 37 CFR § 1.8.


Jennifer Guerra

Applicant : Frederick L. Jordan Confirmation No. 6893
Application No. : 10/517,901
Filed : December 10, 2004
Title : METHOD AND COMPOSITION FOR USING STABILIZED BETA-CAROTENE AS CETANE IMPROVER IN HYDROCARBONACCIOUS
Grp./Div. : 1797
Examiner : Ellen M. McAvoy
Docket No. : 60638/O249

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
June 4, 2009

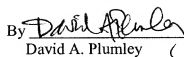
Commissioner:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Office action dated December 4, 2008 of the Primary Examiner's final action of claims 1-5, 8, 10, 12, 14, 16-23, and 31-33.

 X A Petition for Extension of Time and the fee are enclosed.
 X Our check for \$270.00 to cover the fee for this appeal is enclosed.
 A Small Entity Claim is enclosed.
 No fee is required for this Notice of Appeal because the fee was paid in a prior appeal.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 
David A. Plumley
Reg. No. 37,208
626/795-9900

DAP/jhg